

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 11, 2019

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JOURNAL OF THE SENATE

TWENTY-NINE CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 11, 2019

The Senate met in regular session at 1:02 p.m., President Schneider presiding.

Prayer was offered by Bill Kersting, Vice Chairman of Grand Avenue Community Outreach in Spencer, Iowa. He was the guest of Senator Whiting.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reece Kennedy from Wellsburg, Iowa. She is the daughter of Michelle and J.R. Kennedy and the guest of Senator Sweeney.

The Journal of Thursday, February 7, 2019, was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that [Senate File 225](#) was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

SPECIAL GUEST

Senator Zumbach introduced to the Senate chamber Sayaka Mochizuki, a Japanese governmental representative from the Yamanashi Prefecture.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:10 p.m. until 9:00 a.m., Tuesday, February 12, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Geriatric Patient Housing Review Report, pursuant to 2018 Iowa Acts, [SF 2418](#), section 117. Report received on February 8, 2019.

DEPARTMENT OF PUBLIC DEFENSE

Offenses Reported to Civilian Law Enforcement Authorities, pursuant to Iowa Code section 29B.116B. Report received on February 8, 2019.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Jason Franzenburg and the Students of the Inven Team of Davenport West High School—For being one of fifteen schools selected to win a Lemelson-MIT Inven Team Grant. Senator Lykam.

Tristan James Kurth, Hampton—For reaching the rank of Eagle Scout, Troop #1120. Senator Ragan.

INTRODUCTION OF BILLS

[Senate File 228](#), by committee on Commerce, a bill for an act relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 229](#), by committee on Commerce, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 230](#), by committee on Commerce, a bill for an act relating to manufacturers of native distilled spirits and beer.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 231](#), by Zaun, a bill for an act providing for unified fire and emergency service departments.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 232](#), by Zaun, a bill for an act relating to the siting of wind energy conversion facilities.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 233](#), by Zaun, a bill for an act relating to customer choice regarding the installation of certain public utility meters.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 234](#), by Zaun, a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 235](#), by Bolkcom, a bill for an act relating to domestic relations proceedings involving parties with a history of domestic abuse.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 236](#), by Danielson, a bill for an act relating to department of transportation contracts involving former employees of the department, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 237](#), by committee on Judiciary, a bill for an act relating to the membership and procedures of the state judicial nominating commission and district judicial nominating commission and to the selection and qualifications of judges, associate judges, and the chief justice, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

[SSB 1135](#) **Judiciary**

Relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person.

[SSB 1136](#) **Judiciary**

Relating to postconviction DNA profiling procedure.

[SSB 1137](#) **Judiciary**

Relating to the confidentiality of information filed with the court used to secure an arrest warrant.

[SSB 1138](#) **Judiciary**

Relating to excuse from jury service for persons at least seventy-two years of age.

[SSB 1139](#) **Judiciary**

Requiring certain disclosures related to veterans' benefit services, and making penalties applicable.

SSB 1140 Judiciary

Relating to nonsubstantive Code corrections.

SSB 1141 State Government

Relating to restrictions on lawful preexisting nonconforming uses by cities and counties.

SSB 1142 Appropriations

Relating to appropriations to the judicial branch.

SSB 1143 Appropriations

Relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

SSB 1144 Judiciary

Relating to the dissemination and exhibition of obscene material to a minor by the parent or guardian of the minor, and providing penalties.

SSB 1145 Judiciary

Relating to state-funded interpreters and translators for limited-English-proficient, deaf, and hard-of-hearing persons in certain court proceedings and court-related activities.

SSB 1146 Judiciary

Relating to notice and opportunity to repair construction defects in new construction, and including effective date and applicability provisions.

SSB 1147 Judiciary

Relating to debts for which the homestead is liable by providing that the homestead may be sold to satisfy debts secured by a mechanic's lien, including principal, interest, attorney fees, and costs.

SSB 1148 Transportation

Relating to wrecked or salvage motor vehicles.

REPORT OF COMMITTEE MEETING**JUDICIARY**

Convened: Monday, February 11, 2019, 2:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: Nunn (excused).

Committee Business: [SSB 1101](#) Judicial nomination; Senator Garrett.

Adjourned: 3:15 p.m.

SUBCOMMITTEE ASSIGNMENTS**[Senate File 177](#)**

EDUCATION: Rozenboom, Chair; J. Smith and Sweeney

[Senate File 178](#)

JUDICIARY: Zaun, Chair; Dawson and Kinney

[Senate File 179](#)

JUDICIARY: Sweeney, Chair; Bisignano and Shipley

[Senate File 180](#)

JUDICIARY: Dawson, Chair; Bisignano and Chapman

[Senate File 189](#)

JUDICIARY: Sinclair, Chair; Garrett and Petersen

[Senate File 194](#)

NATURAL RESOURCES AND ENVIRONMENT: Behn, Chair; Boulton and Kapucian

[Senate File 195](#)

LABOR AND BUSINESS RELATIONS: Guth, Chair; Bisignano and Brown

[Senate File 200](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Whiting

[Senate File 204](#)

JUDICIARY: Nunn, Chair; Garrett and Hogg

[Senate File 206](#)

EDUCATION: Cournoyer, Chair; Celsi and Kraayenbrink

[Senate File 207](#)

EDUCATION: Rozenboom, Chair; Johnson and Wahls

[Senate File 212](#)

JUDICIARY: Sinclair, Chair; Petersen and Sweeney

[Senate File 213](#)

JUDICIARY: Schultz, Chair; Bisignano and Chapman

[Senate File 215](#)

NATURAL RESOURCES AND ENVIRONMENT: Cournoyer, Chair; Boulton and Shipley

[Senate File 219](#)

EDUCATION: Johnson, Chair; Danielson and Kraayenbrink

[Senate File 221](#)

LOCAL GOVERNMENT: Lofgren, Chair; Boulton and Garrett

[Senate File 222](#)

TRANSPORTATION: Shipley, Chair; Kinney and Zumbach

[Senate File 224](#)

EDUCATION: Sinclair, Chair; J. Smith and Zaun

[Senate File 234](#)

JUDICIARY: Zaun, Chair; Kinney and Shipley

[SSB 1018](#)
(Reassigned)

JUDICIARY: Dawson, Chair; Bisignano and Schultz

[SSB 1135](#)

JUDICIARY: Garrett, Chair; Dawson and Hogg

[SSB 1136](#)

JUDICIARY: Dawson, Chair; Kinney and Zaun

[SSB 1137](#)

JUDICIARY: Dawson, Chair; Kinney and Shipley

[SSB 1138](#)

JUDICIARY: Shipley, Chair; Chapman and R. Taylor

[SSB 1139](#)

JUDICIARY: Whiting, Chair; R. Taylor and Zaun

[SSB 1140](#)

JUDICIARY: Zaun, Chair; Dawson and R. Taylor

[SSB 1141](#)

STATE GOVERNMENT: Chapman, Chair; Bisignano and R. Smith

[SSB 1142](#)

APPROPRIATIONS: Breitbach, Chair; Garrett and T. Taylor

[SSB 1143](#)

APPROPRIATIONS: Breitbach, Chair; Garrett and T. Taylor

[SSB 1144](#)

JUDICIARY: Sweeney, Chair; Chapman and Kinney

[SSB 1145](#)

JUDICIARY: Shipley, Chair; Schultz and R. Taylor

[SSB 1146](#)

JUDICIARY: Garrett, Chair; Hogg and Whiting

[SSB 1147](#)

JUDICIARY: Garrett, Chair; Hogg and Whiting

[SSB 1148](#)

TRANSPORTATION: Breitbach, Chair; Brown and Lykam

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: [SENATE FILE 228 \(SSB 1084\)](#), a bill for an act relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Sinclair, and R. Smith. Nays, 1: Quirnbach. Absent, 2: Dawson and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 229](#) (formerly [SF 25](#)), a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirnbach, Sinclair, and R. Smith. Nays, none. Absent, 2: Dawson and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 230 \(SSB 1021\)](#), a bill for an act relating to manufacturers of native distilled spirits and beer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Chapman, Koelker, Lykam, Bisignano, Bolkcom, Breitbach, Brown, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirnbach, Sinclair, and R. Smith. Nays, none. Absent, 2: Dawson and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [SENATE FILE 237 \(SSB 1101\)](#), a bill for an act relating to the membership and procedures of the state judicial nominating commission and district judicial nominating commission and to the selection and qualifications of judges, associate judges, and the chief justice, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: Zaun, Dawson, Chapman, Garrett, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 5: Kinney, Bisignano, Hogg, Petersen, and R. Taylor. Absent, 1: Nunn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 11, 2019, to investigate the appointment and reappointment of the following appointees:

COMMERCE

As Executive Director of the Iowa Finance Authority:

Debi Durham – R. Smith, Chair; Chapman and Mathis

As Executive Director of the Iowa Telecommunications and Technology Commission:

Philip Groner – Johnson, Chair; Bolkcom and Miller-Meeks

EDUCATION

As members of the Board of Educational Examiners:

David Schipper – Kraayenbrink, Chair; Lofgren and J. Smith
Ryan Williamson – Edler, Chair; Celsi and Johnson

As a member of the State Board of Regents:

Frederick Lindenmayer – Rozenboom, Chair; Quirnbach and Sweeney

HUMAN RESOURCES

As a member of the Health Facilities Council:

Stephen Dingle – Greene, Chair; Edler and Quirnbach

As members of the Mental Health and Disability Services Commission:

Russell Wood – Edler, Chair; Greene and Ragan
Lorrie Young – Edler, Chair; Greene and Ragan

JUDICIARY

As a member of the Iowa State Civil Rights Commission:

Justin Johnston – Schultz, Chair; Hogg and Nunn

As the Drug Policy Coordinator:

Dale Woolery – Nunn, Chair; Kinney and Whiting

As a member of the State Judicial Nominating Commission:

Kathleen Law – Whiting, Chair; Bisignano and Sinclair

As a member of the Iowa Law Enforcement Academy Council:

Tiffany Creekmur – Schultz, Chair; Shipley and R. Taylor

LABOR AND BUSINESS RELATIONS

As members of the Plumbing and Mechanical Systems Board:

Rick Coffman – Whiting, Chair; Guth and T. Taylor
Matthew Wyant – Whiting, Chair; Guth and T. Taylor

NATURAL RESOURCES AND ENVIRONMENT

As a member of the Environmental Protection Commission:

Lisa Gochenour – Kapucian, Chair; Shipley and J. Smith

STATE GOVERNMENT

As a member of the Commission on the Status of African Americans:

Rosalind Peebles Fox – Miller-Meeks, Chair; Celsi and Johnson

As Director of the Department of Cultural Affairs:

Chris Kramer – R. Smith, Chair; Cournoyer and Jochum

As a member of the Engineering and Land Surveying Examining Board:

Paul Herold – Cournoyer, Chair; Johnson and T. Taylor

As a member of the Interior Design Examining Board:

Katherine Stavneak – Whiting, Chair; Celsi and Johnson

As Chief Executive Officer of the Iowa Lottery Authority:

Matt Strawn – R. Smith, Chair; Bisignano and Chapman

TRANSPORTATION

As Commissioner of Public Safety:

Stephan Bayens – Breitbach, Chair; Danielson and Kapucian

WAYS AND MEANS

As Director of Revenue:

Adam Humes – Feenstra, Chair; Behn and Jochum

AMENDMENT FILED

[S-3002](#) [S.F. 171](#) Tim Kraayenbrink